

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>JEFFREY C. STEPHENS</b>	:	
Petitioner	:	<b>Civil Action No. 1:14-cv-977</b>
	:	
v.	:	<b>(Judge Kane)</b>
	:	
<b>LAWRENCE MALHALLY, Acting</b>	:	<b>(Magistrate Judge Saporito)</b>
Superintendent, et al.	:	
Respondents	:	

**ORDER**

Before the Court in the above-captioned action is a June 29, 2015 Report and Recommendation of the Magistrate Judge. No timely objections have been filed.

**AND NOW**, this 17th day of July, 2015, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation of Magistrate Judge Saporito. (Doc. No.21).
- 2) The petition (Doc. No. 1) is **DENIED** and **DISMISSED WITH PREJUDICE**.
- 3) The petitioner's "Motion for Judicial Determination of Capacity and Competence, and, for Immediate Relief" (Doc. No. 18) is **DENIED**.
- 4) The petitioner's motion for judgment on the pleadings (Doc. No. 20) is **DENIED**.
- 5) The Court declines to issue a certificate of appealability, as the petitioner has failed to demonstrate "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2); *see also Miller-El v. Cockrell*, 537 U.S. 322, 335-36 (2003); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

6) The Clerk of Court shall close the case.

s/ Yvette Kane  
YVETTE KANE, District Judge  
United States District Court